

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

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|-------------------------------|---|--------------------------------|
| Christopher James France, |) | |
| |) | |
| Appellant, |) | Civil Action No. 2:21-2321-BHH |
| |) | |
| v. |) | |
| |) | <u>ORDER</u> |
| Visions Federal Credit Union, |) | |
| |) | |
| Appellee. |) | |
| |) | |
| _____ |) | |

This matter is before the Court on the *pro se* appeal from the United States Bankruptcy Court filed by Appellant Christopher James France’s (“Appellant”). See *In re Christopher James France, Debtor*, C/A No. 20-03044-dd (D.S.C.). In accordance with 28 U.S.C. § 636(b)(1)(A) and Local Rule 73.02(B)(2)(e) for the District of South Carolina, the matter was referred to a United States Magistrate Judge for preliminary review.

On June 3, 2022, Magistrate Judge Molly H. Cherry issued a Report and Recommendation (“Report”), outlining the issues and recommending that this bankruptcy appeal be dismissed as the Appellant has been negligent in pursuing his appeal. (ECF No. 19.) Attached to the Report was a notice advising the parties of their right to file written objections to the Report within fourteen days of being served with a copy. (*Id.* at 4.) To date, no objections have been filed.

The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a *de novo* determination only of those portions of the Report to

which specific objections are made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of specific objections, the Court reviews the matter only for clear error. See *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’”) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Here, because no objections were filed, the Court has reviewed the record, the applicable law, and the findings and recommendations of the Magistrate Judge for clear error. After review, the Court finds no clear error and agrees with the Magistrate Judge’s findings and recommendations.

Accordingly, the Court adopts the Magistrate Judge’s Report (ECF No. 19) without objection, and incorporates it herein. This bankruptcy appeal is hereby dismissed.

IT IS SO ORDERED.

/s/Bruce H. Hendricks
United States District Judge

August 2, 2022
Charleston, South Carolina